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Such rules become operative thirty (30) days from date of promulgation.

These rules promulgated by the Commission are designed to foster and promote the maintenance of fair competitive conditions in the interest of protecting industry, trade, and the public. It is to this end, and to the exclusion of any act or practice which suppresses competition, restrains trade, fixes or controls price through combination or agreement, or which otherwise injures, destroys, or prevents competition, that the rules are to be applied.

Sec.	Definition.
186.0	
GROUP I	
186.1	Deception (general).
186.2	Misrepresentation as to character of business.
186.3	Misuse of the word "free", etc.
186.4	Imitation or simulation of trade-marks, trade names, etc.
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GROUP II

186.101	Recording of trade-marks, trade names, etc., to avoid confusion.
186.102	Statistics.
186.103	Dissemination of credit information.
186.104	Price lists.
186.105	Policy as to disclosure of quality guarantee and return of candy.

AUTHORITY: §§ 186.0 to 186.105 issued under sec. 8, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 46.

§ 186.0 Definition. The term "candy" as used in the rules in this part is to be understood as including all kinds and varieties of candy (exclusive only of solid or molded chocolate products) whether sold in bulk, packaged, or other form.

GROUP I

General statement. The unfair trade practices embraced in §§ 186.1 to 186.21 herein are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices, prohibited under laws administered by the Federal Trade Commission; and appropriate proceedings in the public interest will be taken by the Commission to prevent the use, by any person, partnership, corporation, or other organiza-

tion subject to its jurisdiction, of such unlawful practices in commerce.

§ 186.1 Deception (general). The practice of selling, advertising, describing, or otherwise representing candy in any manner or under any circumstances having the capacity and tendency or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public with respect to the grade, quantity, price, value, composition, ingredients, nutritional value, character, nature, size, use, preparation, manufacture, or distribution of such candy or in any other material respect, is an unfair trade practice.

NOTE: Among the inhibitions of this section is "false advertisement", as defined in section 15 of the Federal Trade Commission Act, of any "food" or other product within the scope of such section. Furthermore, nothing in the rules in this part is to be construed as relieving anyone of the necessity of complying with the provisions of the Food, Drug and Cosmetic Act in respect to labeling or any other matter coming within the purview of that act.

[Rule 1]

§ 186.2 Misrepresentation as to character of business. It is an unfair trade practice for any member of the industry, in the course of or in connection with the distribution or sale of candy, to misrepresent the character, extent, or type of his business. [Rule 2]

§ 186.3 Misuse of the word "free," etc. Use of the word "free," or any word or term of similar import, in advertising or otherwise, to designate or describe any product or service which is not in truth and in fact a gift or gratuity, or is not given to the recipient thereof without requiring the purchase of other merchandise or requiring the performance of some service inuring directly or indirectly to the benefit of the industry member using such word, is an unfair trade practice. [Rule 3]

§ 186.4 Imitation or simulation of trade-marks, trade names, etc. The imitation or simulation of the trade-marks, trade names, or other exclusively owned marks of identification of competitors, with the capacity and tendency or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice. [Rule 4]

§ 186.5 False invoicing. (a) It is an unfair trade practice to withhold from or insert in invoices any statements or information by reason of which omission or insertion a false record is made, wholly or in part, of the transactions represented on the face of such invoices, with the capacity and tendency or effect of thereby misleading or deceiving purchasers, prospective purchasers, or the consuming public.

(b) It is an unfair trade practice to falsify, remove, or fail to furnish, any purchase slip, ticket, card, invoice, or other record, with the capacity and tendency or effect of thereby misleading or deceiving purchasers, prospective purchasers, or the consuming public. [Rule 5]

§ 186.6 False and misleading price quotations, etc. The publishing or circulating by any member of the industry of price quotations, price lists, or terms or conditions of sale which are false or have the capacity and tendency or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice. [Rule 6]

§ 186.7 Tie-in sales; coercing purchase of one product as a prerequisite to purchase of other products. The practice of coercing the purchase of one or more products as a prerequisite to the purchase of one or more other products, where the effect may be to substantially lessen competition or tend to create a monopoly or to unreasonably restrain trade, is an unfair trade practice. [Rule 7]

§ 186.8 Consignment distribution. It is an unfair trade practice for any member of the industry to employ the practice of shipping candy on consignment or pretended consignment for the purpose and with the effect of artificially clogging or closing trade outlets and unduly restricting competitors' use of said trade outlets in getting their products to consumers through regular channels of distribution, thereby injuring, destroying, or preventing competition, or tending to create a monopoly or to unreasonably restrain trade. Nothing in this section shall be construed as restricting or preventing consignment shipping or marketing of candy in good faith where suppression of competition, restraint of trade, or undue interference with competitors' use of the usual channels of distribution, is not effected. [Rule 8]

§ 186.9 Commercial bribery. It is an unfair trade practice for a member of the industry, directly or indirectly, to give, or offer to give, or permit or cause to be given, money, or anything of value to agents, employees, or representatives of customers or prospective customers, or to agents, employees, or representatives of competitors' customers or prospective customers, without the knowledge of their employers or principals, as an inducement to influence their employers or principals to purchase or contract to purchase candy manufactured or sold by such industry member or the maker of such gift or offer, or to influence such employers or principals to refrain from dealing in candy of competitors or from dealing or contracting to deal with competitors. [Rule 9]

§ 186.10 Defamation of competitors or disparagement of their products. The defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representations, or the false disparagement of the products of competitors in any material respect, or of their business methods, selling prices, values, credit terms, policies, or services, is an unfair trade practice. [Rule 10]

§ 186.11 Unfair threats of infringement suits. The circulation of threats of suit for infringement of patents or trade-marks among customers or pro-

spective customers of competitors, not made in good faith but for the purpose or with the effect of thereby harassing or intimidating such customers or prospective customers, or of unduly hampering, injuring, or prejudicing competitors in their business, is an unfair trade practice. [Rule 11]

§ 186.12 Selling below cost. The practice of selling candy below the seller's cost with the intent and with the effect of injuring a competitor and where the effect may be substantially to lessen competition or tend to create a monopoly or unreasonably restrain trade is an unfair trade practice. The costs, however, which are referred to in this section, are actual costs of the respective seller, determined in accordance with good accounting practice, and not some other figure or average costs in the industry determined by an industry cost survey or otherwise.

This section is not to be construed as prohibiting the selling below cost of candy when spoilage thereof is imminent and cannot reasonably be avoided; nor as prohibiting such other sales below cost as are not resorted to and pursued as a monopolistic practice with the wrongful intent referred to and with the effect of substantially lessening competition, tending to create a monopoly, or unreasonably restraining trade. [Rule 12]

§ 186.13 Combination or coercion to fix prices, suppress competition, or restrain trade. It is an unfair trade practice for a member of the industry, or any other person:

(a) To use, directly or indirectly, any form of threat, intimidation, or coercion against any member of the industry or other person to unlawfully fix, maintain, or enhance prices, suppress competition, or restrain trade; or

(b) To enter into or take part in, directly or indirectly, any agreement, understanding, combination, conspiracy, or concerted action with one or more members of the industry, or with one or more other persons, to unlawfully fix, maintain, or enhance prices, suppress competition, or restrain trade. [Rule 13]

§ 186.14 Prohibited discrimination—
(a) *Prohibited discriminatory prices, or rebates, refunds, discounts, credits, etc., which effect unlawful price discrimination.* It is an unfair trade practice for any member of the industry engaged in commerce,¹ in the course of such commerce, to grant or allow, secretly or openly, directly or indirectly, any rebate, refund, discount, credit, or other form of price differential (whether in the guise of samples, so-called free deals, allowances

¹As here used, the word "commerce" means "trade or commerce among the several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States."

on inventory or floor stock, or otherwise) where such rebate, refund, discount, credit, or other form of price differential, effects a discrimination in price between different purchasers of goods of like grade and quality, where either or any of the purchases involved therein are in commerce,¹ and where the effect thereof may be substantially to lessen competition or tend to create a monopoly in any line of commerce,¹ or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination, or with customers of either of them: *Provided, however,*

(1) That the goods involved in any such transaction are sold for use, consumption, or resale within any place under the jurisdiction of the United States;

(2) That nothing herein contained shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered;

(3) That nothing herein contained shall prevent persons engaged in selling goods, wares, or merchandise in commerce¹ from selecting their own customers in bona fide transactions and not in restraint of trade;

(4) That nothing herein contained shall prevent price changes from time to time where made in response to changing conditions affecting the market for or the marketability of the goods concerned, such as but not limited to actual or imminent deterioration of perishable goods, obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned.

(b) *Prohibited brokerage and commissions.* It is an unfair trade practice for any member of the industry engaged in commerce,¹ in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(c) *Prohibited advertising or promotional allowances, etc.* It is an unfair trade practice for any member of the industry engaged in commerce¹ to pay or contract for the payment of advertising or promotional allowances or any other thing of value to or for the benefit of a customer of such member in the course of such commerce as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products or commodities manufactured, sold, or offered for sale by such member, unless such payment or consideration is

available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

(d) *Prohibited discriminatory services or facilities.* It is an unfair trade practice for any member of the industry to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or furnishing, or by contributing to the furnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale of such commodity so purchased upon terms not accorded to all competing purchasers on proportionally equal terms.

(e) *Inducing or receiving an illegal discrimination in price.* It is an unfair trade practice for any member of the industry engaged in commerce,¹ in the course of such commerce, knowingly to induce or receive a discrimination in price which is prohibited by the foregoing provisions of this section.

(f) *Exemptions.* The inhibitions of this section shall not apply to purchases of their supplies for their own use by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit. [Rule 14]

§ 186.15 *Discriminatory returns.* It is an unfair trade practice for any member of the industry engaged in commerce¹ to discriminate in favor of one customer-purchaser against another customer-purchaser of candy, bought from such member for resale, by contracting to furnish, or furnishing in connection therewith, upon terms not accorded to all competing customer-purchasers on proportionally equal terms, the service or facility whereby such favored purchaser is accorded the privilege of returning products so purchased and receiving therefor credit or refund of purchase price: *Provided, however,* That nothing in any of the rules in this part shall prohibit or be used to prevent the return of candy by purchasers, for credit or refund of purchase price, when and because such merchandise has been falsely or improperly labeled, branded, or represented, or when and because the merchandise is defective contrary to warranty or purchase contract. [Rule 15]

§ 186.16 *Inducing breach of contract.* Inducing or attempting to induce the breach of existing lawful contracts between competitors and their customers, or their suppliers, by any false or deceptive means whatsoever, or interfering with or obstructing the performance of any such contractual duties or services by any such means, with the purpose and effect of unduly hampering, injuring, or prejudicing competitors in their business, is an unfair trade practice. [Rule 16]

§ 186.17 *Enticing away employees of competitors.* It is an unfair trade practice for any member of the industry wilfully to entice away employees of competitors with the intent and effect of thereby unduly hampering or injuring competitors in their business and destroying or substantially lessening competition: *Provided,* That nothing in this

section shall be construed as prohibiting employees or agents from seeking or obtaining more favorable employment. [Rule 17]

§ 186.18 *Advertising of candy sold in slack-filled or short-weight containers.* It is an unfair trade practice to advertise candy packed in slack-filled or short-weight containers by any depletion or by other representation which has the capacity and tendency or effect of thereby causing such advertising to be misleading or deceptive to purchasers, prospective purchasers, or the consuming public. [Rule 18]

§ 186.19 *Exclusive deals.* It is an unfair trade practice for any member of the industry to contract to sell or sell any candy or other product, or fix a price charged therefor, or discount from, or rebate upon, such price, on the condition, agreement, or understanding that the purchaser thereof shall not use or deal in the products of a competitor or competitors of such industry member, where the effect of such sale or contract for sale, or of such condition, agreement, or understanding, may be to substantially lessen competition or tend to create a monopoly in any line of commerce. [Rule 19]

§ 186.20 *Marketing of candy through lottery or game of chance.* It is an unfair trade practice for any member of the industry to sell or promote the sale of candy by means of a game of chance, gift enterprise, or lottery scheme.

The inhibitions of this section shall be understood as also extending to the marketing of candy which is specially packaged or arranged so as to facilitate its resale or distribution by a customer of an industry member to the public by means of a game of chance or lottery scheme, and to the marketing or supplying of any lottery device by an industry member to his customer either separately or in conjunction with candy. [Rule 20]

§ 186.21 *Aiding or abetting use of unfair trade practices.* It is an unfair trade practice for any person, firm, or corporation (whether engaged as manufacturer, seller, buyer, or otherwise) to aid, abet, coerce, or induce another, directly or indirectly, to use or promote the use of any unfair trade practice specified in the rules in this part. [Rule 21]

GROUP II

General statement. Compliance with trade practice provisions embraced in §§ 186.101 to 186.105 is considered to be conducive to sound business methods and is to be encouraged and promoted individually or through voluntary co-operation exercised in accordance with existing law. Nonobservance of such rules does not per se constitute violation of law. Where, however, the practice of not complying with §§ 186.101 to 186.105 is followed in such manner as to result in unfair methods of competition, or unfair or deceptive acts or practices, corrective proceedings may be instituted by the Commission as in the case of violation of §§ 186.1 to 186.21.

§ 186.101 *Recording of trade-marks, trade names, etc., to avoid confusion.* To avoid confusion, the industry recom-

¹ See footnote 1, page 379.

mends that each industry member voluntarily file with some person designated by the industry all trade-marks, trade names, labels, or brands which are distinctive of such member's products and exclusively used by him in promoting the sale thereof, and that such information be made equally available to all members of the industry and to the public. (See also § 186.4 and § 186.11 in Group I.) [Rule A]

§ 186.102 *Statistics.* The industry records its approval of the compilation and distribution of all proper and lawful statistics, subject, however, to the prohibitions and limitations set forth in the provisions of §§ 186.13 and 186.21 of Group I, herein. [Rule B]

§ 186.103 *Dissemination of credit information.* The industry records its approval of distributing to its members information covering delinquent and slow accounts insofar as this may be lawfully done. [Rule C]

§ 186.104 *Price lists.* (a) The industry approves the practice of each individual member of the industry independently publishing and circulating to the purchasing trade his own price lists. (b) The industry approves the practice of making the terms of sale a part of all published price schedules. [Rule D]

§ 186.105 *Policy as to disclosure of quality guarantee and return of candy.* The industry approves the practice of members of the industry stating on their purchase orders and invoices their terms of quality guarantee and their policy as to terms applicable to the return of candy by purchasers to the industry members. [Rule E]

A Committee on Trade Practices is hereby authorized to cooperate with the Federal Trade Commission and to perform such acts as may be legal and proper in the furtherance of fair competitive practices and in promoting the effectiveness of the rules.

Promulgated by the Federal Trade Commission January 24, 1950.

Issued: January 18, 1950.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 50-628; Filed, Jan. 23, 1950;
8:45 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg., Amdt. 211]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 209]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

ALABAMA, ARKANSAS, CALIFORNIA, VIRGINIA, AND WEST VIRGINIA

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and the Rent

Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) are amended in the following respects:

1. Schedule A, Item 9, is amended to describe the counties in the Defense-Rental Area as follows:

Colbert, Lauderdale and Madison.

This decontrols all of Morgan County, Alabama, and in Limestone County the City of Athens, Alabama, portions of the Muscle Shoals-Huntsville, Alabama, Defense-Rental Area.

2. Schedule A, Item 20, is amended to describe the counties in the Defense-Rental Area as follows:

In Union County, El Dorado Township.

This decontrols the entire El Dorado, Arkansas, Defense-Rental Area, except El Dorado Township, Arkansas.

3. In Schedule A, all of item 25 which relates to the Northern District of Arkansas County is deleted, and the description of the Counties in the Defense-Rental Area is amended to read as follows:

In Jefferson County, the City of Pine Bluff and Vaughn Township.

This decontrols the entire Pine Bluff, Arkansas, Defense-Rental Area, except for the City of Pine Bluff and Vaughn Township in Jefferson County, Arkansas.

4. Schedule A, Item 30, is amended to describe the counties in the Defense-Rental Area as follows:

Orange County, except the Cities of Fullerton, Huntington Beach, Laguna Beach and Newport Beach, and except that portion lying south of the south line of Township Six south, Range Eight west, San Bernardino Base and Meridian, and the easterly and westerly prolongation of said south line; and Los Angeles County, except Catalina Township and the Cities of Alhambra, Beverly Hills, Covina, El Monte, Huntington Park, La Verne, Long Beach, Maywood, Monrovia, Pasadena, Pomona and South Pasadena.

This decontrols the Cities of Huntington Park, Long Beach and Maywood, all in Los Angeles County, California, a portion of the Los Angeles, California, Defense-Rental Area, based on resolutions submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

5. In Schedule A, all of Item 340a, which relates to the Independent City of Clifton Forge is deleted, and the description of the counties in the Defense-Rental Area is amended to read as follows:

Allegheny County, except the Magisterial Districts of Clifton and Boiling Springs.

This decontrols the Independent City of Clifton Forge and the Magisterial Districts of Clifton and Boiling Springs in Allegheny County, portions of the Covington, Virginia, Defense-Rental Area.

6. Schedule A, Item 344, is amended to describe the counties in the Defense-Rental Area as follows:

In Montgomery County, the Blacksburg Magisterial District.

This decontrols the entire Radford-Pulaski, Virginia, Defense-Rental Area, except the Blacksburg Magisterial District in Montgomery County, Virginia.

7. Schedule A, Item 355, is amended to describe the counties in the Defense-Rental Area as follows:

Kanawha.

In Putnam County, that portion of the City of Nitro located therein.

This decontrols all of the Magisterial District of Pocatalico in Putnam County, West Virginia, except that portion of the City of Nitro located therein, a portion of the Charleston, West Virginia, Defense-Rental Area.

All decontrols effected by this amendment, except those effected by Item 4 thereof, are based on the Housing Expediter's own initiative in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup., 1894)

This amendment shall become effective January 20, 1950.

Issued this 19th day of January 1950.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 50-660; Filed, Jan. 23, 1950;
8:48 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

Subchapter G—Personnel

PART 888—REPRESENTATIVE ACTIVITIES BY FORMER PERSONNEL AND RETIRED OFFICERS

- Sec.
888.1 General policy.
888.2 Former personnel, military and civilian.
888.3 Retired officers.
888.4 Reserve officers and members of the National Guard.

AUTHORITY: §§ 888.1 to 888.4 issued under R. S. 161; 5 U. S. C. 22.

DERIVATION: AFR 30-30; AFR 30-30A.

§ 888.1 *General policy.* Former personnel and retired officers of the Department of the Air Force, Department of the Army, War Department or the Army will not be permitted to deal with the Department of the Air Force in a representative capacity in any matter, including claims, if the individual concerned personally considered the matter or gained personal knowledge of the facts thereof while connected with these services. The same restriction is applicable to a person who is not included among such former personnel if he is directly associated in the particular matter involved with a person who is covered by the preceding sentence.

§ 888.2 *Former personnel, military and civilian.* (a) The provisions of sec. 284 (a), Pub. Law 772, 80th Cong.; 18 U. S. C. 284 (a) make it unlawful for former personnel, within two years after termination of their incumbency, to prosecute or act as counsel, attorney, or agent for prosecuting any claim against the United States which involves any subject matter directly connected with which the individual concerned was employed or performed duty.

(b) Section 27 of the Surplus Property Act of 1944 (58 Stat. 781; 50 U. S. C. App. 1636), prohibits representative activities by former personnel within two years after the termination of incumbency in connection with any matter involving the disposition of surplus property by the agency in which such person was employed, if during his employment such person ratified, approved, or authorized the disposition of any surplus property pursuant to the act or recommended any such approval, authorization, or ratification, as part of his official duties.

(c) In any matter, including claims, which involves representation by a person whom the Government representative concerned has reason to believe may be a former member whose incumbency has been terminated within less than two years or where there is reason to believe that a violation of the policy expressed in § 888.1 may be involved, an affidavit will be requested of the former member stating:

(1) His former connection with the Department of the Air Force, Department of the Army, the War Department, or the Army, giving the date of entrance on duty and the date of termination thereof.

(2) A statement whether his duties in such former connection related to subject matter of the nature of that involved in his representation.

(3) That while he was connected with the Department of the Air Force, the Department of the Army, the War Department, or the Army, the matter was not pending therein, or if it was so pending:

(i) That he gave no personal consideration to it and gained no personal knowledge of the facts thereof while so connected:

(ii) That he is not and will not be associated in the particular matter with any person who has personally considered it or gained personal knowledge of the facts thereof while connected with the Department of the Air Force, the Department of the Army, War Department, or the Army;

(4) That his employment in the matter is not prohibited by the statutes cited in this section.

(d) Where the statements in such affidavit are negative and it does not otherwise appear that a violation of the policy or statutes set forth above is involved, representation will be permitted.

Where it is clear that a violation of the policy or statutes set forth above is involved, representation will not be permitted, and the record will so indicate.

(e) In any case where there is doubt as to whether representation should be permitted, detailed information concerning the activities of the representative in his former service connection and the subject matter of his representation will be obtained, and the matter will be submitted for consideration and decision to the Commanding General, Air Materiel Command, and, if considered advisable by that officer, to the Under Secretary of the Air Force.

§ 888.3 *Retired officers.* A retired officer retains his status as an officer of

the United States and may not engage in any activity incompatible with such status. Retired officers, not on active duty, are prohibited by sec. 283, Pub. Law 772, 80th Cong; 18 U. S. C. 283 from aiding or assisting in the prosecution of claims against the Government. Sec. 216, Pub. Law 772, 80th Cong; 18 U. S. C. 216, prohibits retired officers, not on active duty, from procuring or aiding to procure Government contracts for another, and sec. 281, Pub. Law 772, 80th Cong; 18 U. S. C. 281 prohibits retired officers from representing another in the sale of anything to the Department of the Air Force. In addition, the current Appropriation Act (Pub. Law 434, 81st Cong.) provides in substance that no payment shall be made from money appropriated in that act to any officer on the retired list of the Army who, for himself or for others, is engaged in the selling of, contracting for the sale of, or negotiating for the sale of, to the Department of the Air Force, any war materials or supplies. The statutory plan is, generally, to prohibit retired officers from prosecuting claims against the Government and from directly participating in Government contract activities of the type described above. It is considered that the spirit of the statutes prohibiting participation in Government contract activities extends beyond any mere bargaining which may precede the execution of a contract or modification thereof, and includes, as well, any activity by a retired officer on behalf of a prospective contractor which reasonably and directly is aimed toward forming the basis for a contract with the Government. On the other hand, it is not the intent of these statutes to preclude a retired officer from accepting employment in private industry solely because his employer is a contractor with the Government. Therefore, these statutes should not be construed as applicable to activities which are only remotely connected with claims or contractual matters as distinguished from direct participation in obtaining a contract with the Government on behalf of a prospective contractor. In any case where the propriety of representation by retired officers is questionable, decision will be obtained in the manner specified in § 888.2 (e).

§ 888.4 *Reserve officers and members of the National Guard.* Reserve officers and members of the National Guard not on active duty come within the restrictions of the regulations in this part only if they qualify as former personnel as set forth in this part. They are not, by sole reason of their status as Reserve or National Guard officers, considered to be officers or employees of the United States, or persons holding any office of trust or profit or discharging any official function under or in connection with any department of the Government of the United States. Likewise, they are not subject to the restrictions applicable to retired officers outlined in § 888.3.

[SEAL] L. L. JUDGE,
Colonel, U. S. Air Force,
Air Adjutant General.

[F. R. Doc. 50-642; Filed, Jan. 23, 1950; 8:48 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

JAPAN AND PALESTINE

a. In § 127.286 *Japan* (13 F. R. 9176; 14 F. R. 5242) amend subdivision (iii) (a) of paragraph (b) (4) to read as follows:

(iii) *Other parcels.* (a) Except as noted below, parcels containing ordinary items of merchandise in commercial quantities are not delivered to addressees in Japan unless an import license has been issued by the military authorities in that country covering each such shipment.

b. In § 127.323 *Palestine (Arab Controlled)* (13 F. R. 9199; 14 F. R. 3494) make the following changes:

1. Amend subparagraph (1) of paragraph (a) to read as follows:

(1) *Classifications, rates, weight limits, and dimensions.* See Table No. 1, § 127.1. Small packets accepted.

2. Amend subparagraph (2) of paragraph (a) to read as follows:

(2) *Registration.* Fee, 25 cents. Registry service is not available to Gaza and Khan Yunis. (See §§ 127.15 and 127.101.)

3. Amend subparagraph (3) of paragraph (a) to read as follows:

(3) *Indemnity.* See § 127.105.

4. Amend subparagraph (7) of paragraph (a) to read as follows:

(7) *Observations.* (i) Service restricted to unregistered letters (including letter packages) and postcards, surface and air, addressed to the following:

Babelsahira.	Jenin.
Beit Jala.	Jericho.
Beit Sahour.	Khan Yunis.
Bethlehem.	Nablus.
Gaza.	Qalqilia.
Hebron.	Ramallah.
Jerusalem.	Tulkarem.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 50-643; Filed, Jan. 23, 1950; 8:48 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts, Department of Labor

PART 202—MINIMUM WAGE DETERMINATIONS

MISCELLANEOUS AMENDMENTS

On December 22, 1949, the Secretary of Labor published in the FEDERAL REGISTER (14 F. R. 7648) notices of his intention to amend the following Walsh-Healey Public Contracts Act minimum wage determinations so as to provide in each determination a minimum wage of not less than 75 cents an hour applicable to contracts awarded on and

after January 25, 1950; to establish uniform provisions for employment of learners in each of these determinations in accordance with regulations adopted by the Administrator of the Wage and Hour Division under section 14 of the Fair Labor Standards Act, as amended (29 CFR, Part 522); to establish, with respect to some industries, uniform provisions for employment of apprentices in accordance with regulations adopted by the Administrator of the Wage and Hour Division under section 14 of the Fair Labor Standards Act, as amended (29 CFR, Part 521); to provide for employment of auxiliary workers in the Cap and Cloth Hat Branch of the Men's Hat and Cap Industry and in the Heavy Outerwear and Suit and Coat Branches of the Uniform and Clothing Industry at wage rates not less than 75 cents an hour; and to amend the industry definition for the Cotton Garment and Allied Industries (§ 202.2):

Sec.	Industry	Date issued
202.2	Cotton Garment & Allied Industries	June 20, 1942
202.3	Men's Neckwear Industry	June 8, 1943
202.4	Rainwear Industry	Nov. 4, 1942
202.5	Knitting, Knitwear and Woven Underwear Industry	Mar. 30, 1943
202.6	Seamless Hosiery Industry	June 8, 1943
202.8	Shoe Manufacturing and Allied Industries	June 12, 1942
202.9	Dimension Granite Industry	June 8, 1944
202.10	Handkerchief Industry	June 8, 1943
202.11	Men's Hat and Cap Industry (including Cap and Cloth Hat Branch and Fur Felt Hat Branch)	Oct. 13, 1948
202.13	Envelope Industry	Apr. 27, 1938
202.16	Vitreous or Vitreified China Industry	May 4, 1938
202.19	Luggage, Leather Goods, Belts and Women's Handbag Industry	Mar. 30, 1943
202.20	Fireworks Industry	Aug. 9, 1944
202.21	Wool Carpet and Rug Industry	Sept. 30, 1938
202.22	Tag Industry	Sept. 8, 1941
202.26	Tobacco Industry	Nov. 4, 1942
202.27	Wood Furniture Branch of Furniture Manufacturing Industry	July 16, 1942
202.27	Public Seating Branch of Furniture Manufacturing Industry	July 16, 1942
202.27	Metal Furniture Branch of Furniture Manufacturing Industry	July 12, 1941
202.28	Drug, Medicine and Toilet Preparations Industry	Sept. 4, 1941
202.29	Specialty Accounting Supply Manufacturing Industry	July 25, 1939
202.30	Photographic Supplies Industry	Mar. 3, 1945
202.32	Fertilizer Industry	June 8, 1944
202.33	Paper and Pulp Industry	June 8, 1944
202.34	Small Arms, Ammunition, Explosives and Related Products Industry	Oct. 4, 1939
202.35	Cement Industry	Feb. 2, 1940
202.36	Structural Clay Products Industry	June 8, 1944
202.37	Wool Trousers Branch of the Uniform and Clothing Industry	Nov. 20, 1948
202.37	Heavy Outerwear Branch of the Uniform and Clothing Industry	Nov. 20, 1948
202.37	Suit and Coat Branch of the Uniform and Clothing Industry	Apr. 5, 1948
202.38	Die Casting Manufacturing Industry	Mar. 5, 1941
202.39	Surgical Instruments and Apparatus Industry	Mar. 5, 1945
202.39	Scientific, Industrial and Laboratory Instruments Industry	Mar. 5, 1945
202.39	Dental Goods and Equipment Manufacturing Industry	June 17, 1944
202.40	Evaporated Milk Industry	June 8, 1944
202.41	Paint and Varnish Industry	Oct. 6, 1941
202.42	Leather Manufacturing Industry	Nov. 17, 1941
202.44	Chemical and Related Products Industry	Mar. 28, 1942
202.45	Aviation Textile Products Manufacturing Industry	Nov. 11, 1942
202.46	Gloves and Mittens Industry	Dec. 16, 1942

It was stated in the notices that available information indicates that substantially all employees in these industries are engaged in commerce or in the production of goods for commerce, as defined in the Fair Labor Standards Act, as amended, so that the Fair Labor Standards Amendments of 1949 will require payment of a wage rate of not less than 75 cents an hour to substantially all employees in such industries; and that, consequently, the prevailing minimum wage in each of these industries on and after the effective date of the Fair Labor Standards Amendments of 1949 will be not less than 75 cents an hour.

It was provided in the notices that interested persons would have an opportunity to file data, views or arguments with the Administrator with respect to the proposed amendments by January 5, 1950, but no such data, views or arguments have been received.

Accordingly, pursuant to authority vested in me by sections 1 (b) and 6 of the Public Contracts Act (49 Stat. 2036, 41 U. S. C. 35) the above cited prevailing minimum wage determinations are amended as follows:

1. Section 202.2 (a) is amended to read as follows:

(a) The Cotton Garment and Allied Industries shall be understood to be that industry which manufactures or furnishes any of the following commodities:

(1) Trousers, slacks, work pants, knickers and breeches made from any fabric except of all-wool or part-wool content;

(2) Dress and work shirts, blouses, and slack suits made from any fabric;

(3) Night wear and lounging garments made from any fabric (except knitted) including nightgowns, pajamas, negligees, housecoats, bed jackets, robes and similar garments;

(4) Overalls, coveralls, overall jackets, one-piece overall suits, and similar work clothing;

(5) Work and outdoor coats and jackets, except wool and wool-lined and leather and sheep-lined coats and jackets;

(6) Washable service apparel, including caps (hospital, professional, nurses', barbers', bakers' and cooks', etc.);

(7) Other women's, children's, and infants' outerwear made from cotton fabric (except knitted), but not specified above, including dresses, skirts, suits, coats, jumpers and aprons;

(8) Bags with drawstrings and inset bases such as barracks bags, wardrobe bags, and laundry bags; bandoleers, ammunition belts, and cartridge belts made of textiles; canvas leggings, cot covers, mattress covers, and mosquito bars; and fabric pouches and carriers, and parts thereof, for first aid equipment.

2. Section 202.11 (a) (2) is amended by deleting "65" and substituting therefor "75" and by deleting "or straight-time earnings of \$26 per week of 40 hours."

3. Section 202.11 (b) (2) is rescinded.

4. Sections 202.37 (b) (1) and (b) (2) are amended by deleting the words "65 cents an hour or \$26 in straight time

earnings per week of 40 hours" and substituting therefor "75 cents an hour".

5. In § 202.37 (b) (3) the words "and auxiliary workers, as hereinafter defined, shall be paid not less than 65 cents an hour or \$26 in straight time earnings per week of 40 hours, arrived at either upon a time or piece-work basis;" are deleted and the semicolon is changed to a colon.

6. In each section listed in the first paragraph hereof, except §§ 202.11 (a) (2) and 202.37, the wage rates stated in hourly and/or weekly terms in the minimum wage provisions of each such section are amended to require payment of a rate "not less than 75 cents per hour arrived at either on a time or piece rate basis."

7. In each section listed in the first paragraph hereof, the provisions relating to the effective date are amended to read as follows: "This determination shall be effective as to all contracts awarded on or after January 25, 1950."

8. In §§ 202.2, 202.3, 202.4, 202.5, 202.6, 202.8, 202.10, 202.11, 202.19, 202.26, 202.30, 202.37, 202.38, 202.39, 202.45, and 202.46 all provisions relating to employment of learners are amended to read as follows:

Learners may be employed at wages below 75 cents an hour upon the same terms and conditions as are prescribed for the employment of learners by the regulations of the Administrator of the Wage and Hour Division of the Department of Labor (29 CFR, Part 522) under section 14 of the Fair Labor Standards Act, as amended.

9. In §§ 202.9, 202.13, 202.16, 202.20, 202.21, 202.22, 202.27, 202.28, 202.29, 202.32, 202.33, 202.34, 202.35, 202.36, 202.40, 202.41, 202.42, and 202.44 the following language is added at the end of the minimum wage provisions:

Learners may be employed at wages below 75 cents an hour upon the same terms and conditions as are prescribed for the employment of learners by the regulations of the Administrator of the Wage and Hour Division of the Department of Labor (29 CFR, Part 522) under section 14 of the Fair Labor Standards Act, as amended.

10. In §§ 202.3, 202.5, 202.8, 202.19, 202.29, 202.34, 202.38, 202.39, and 202.46 all provisions relating to employment of apprentices are amended to read as follows:

Apprentices may be employed at wages below 75 cents an hour upon the same terms and conditions as are prescribed for employment of apprentices by the regulations of the Administrator of the Wage and Hour Division of the Department of Labor (29 CFR, Part 521) under section 14 of the Fair Labor Standards Act, as amended.

11. Section 202.3 (b) is rescinded.

(Sec. 4, 49 Stat. 2038; 41 U. S. C. 38. Interpret or apply sec. 1, 49 Stat. 2036; 41 U. S. C. 35)

Signed at Washington, D. C. this 19th day of January 1950.

MAURICE J. TOBIN,
Secretary of Labor.

[F. R. Doc. 50-609; Filed, Jan. 23, 1950; 8:51 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 122—MONTHLY OPERATING REPORTS

REPORTS OF OPERATING STATISTICS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 19th day of October A. D. 1949.

The matter of monthly reports of operating statistics of Class I steam railways being under consideration:

It is ordered, That the order dated October 28, 1948, in the matter of monthly reports of operating statistics of Class I steam railways (49 CFR, 122.3), be, and it is hereby modified with respect to the forms of monthly reports, effective January 1, 1950, as follows:

§ 122.3 Operating statistics. Commencing with the month of January 1950, and monthly thereafter until further order, each and every Class I steam railway, including Class I switching and terminal companies, subject to the provisions of section 20, part I of the Interstate Commerce Act, is hereby required to file monthly reports of operating statistics in accordance with forms of reports and notes of instructions thereon designated:

Form OS-A—Freight Train Performance.
Form OS-B—Passenger Train Performance.
Form OS-C—Yard Service Performance.
Form OS-D—Revenue Traffic.
Form OS-E—Fuel and Power Statistics.

Form OS-F—Motive Power and Car Equipment.

which forms are attached hereto and made a part of this section: *Provided however*, That Class I switching and terminal companies are not required to submit reports on forms designated Forms OS-A, OS-B, and OS-D. Such monthly reports shall be filed in duplicate in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., on or before the dates indicated in the notice on each form.

(24 Stat. 386, 34 Stat. 593, 35 Stat. 649, 36 Stat. 556, 41 Stat. 493, 54 Stat. 916; 49 U. S. C. 20 (1)-(6))

By the Commission, Division 1.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 50-651; Filed, Jan. 23, 1950;
8:46 a. m.]

PART 130—ASSOCIATIONS' REPORTS

ASSOCIATIONS' SPECIAL REPORT

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 12th day of January A. D. 1950.

The matter of a Special Report from Associations being under consideration: It is ordered, That:

§ 130.0 Associations: Special report. All Associations within the scope of sections 20, 220, 313, and 412 of Parts 1, 2,

3, and 4, respectively, of the Interstate Commerce Act, as amended August 2, 1949, shall file a special report as of August 2, 1949, in accordance with the form, contents, and instructions, attached hereto,¹ which is hereby approved and made a part of this section. The special report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., within sixty days after the date of this section.

Notice of this section shall be given to the said association and to the general public by posting a copy thereof, with the form attached, in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Objections may be filed. Any interested party may, on or before 30 days after the date of this section, file with the Commission a written statement giving data, views, or arguments in favor of or against the proposed special report. The original and 14 copies of such statement shall be submitted.

(63 Stat. 485; 49 U. S. C. 20 (1), 320 (a), 913 (a), 1012 (a))

NOTE: Budget Bureau No. 60-4902. Approval expires June 30, 1950.

By the Commission, Division 1.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 50-652; Filed, Jan. 23, 1950;
8:50 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 988]

[Docket No. AO-195 A-2]

HANDLING OF MILK IN KNOXVILLE, TENN. MARKETING AREA

PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT AND TO ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR, Part 900), notice is hereby given of a public hearing to be held at the County Courthouse, Knoxville, Tennessee, beginning at 9:00 a. m., e. s. t., February 8, 1950, for the purpose of receiving evidence with respect to a proposed amendment hereinafter set forth, or appropriate modifications thereof, to

the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the Knoxville, Tennessee, milk marketing area (7 CFR, Part 988.0; 14 F. R. 3832, 7197). The hearing will be open to receive evidence with respect to all phases of the pricing of surplus milk. The specific proposed amendment hereinafter set forth has not received the approval of the Secretary of Agriculture.

An amendment to the order (No. 88), as amended, for the Knoxville, Tennessee, milk marketing area has been proposed as follows:

By Knoxville Milk Producers' Association:

1. Amend the present classification and pricing provision or the order to provide for a special pricing for surplus producer milk transferred or diverted by a cooperative association.

By the Dairy Branch, Production and Marketing Administration:

2. Make such other changes as may be required to make the entire marketing agreement and order, as amended,

conform with any amendment thereto which may result from this hearing.

It has been represented that an emergency exists in the market with respect to these proposals. Accordingly, this hearing has been called for the purpose of receiving evidence with respect to the economic and emergency conditions which relate thereto.

Copies of this notice of hearing and of the tentative marketing agreement and the order, as amended, now in effect may be procured from the Market Administrator, Room 205 Flatiron Building, 903 Broadway, Knoxville, Tennessee, or from the Hearing Clerk, Room 1353, South Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Dated: January 18, 1950.

[SEAL]

JOHN I. THOMPSON,
Assistant Administrator.

[F. R. Doc. 50-655; Filed, Jan. 23, 1950;
8:47 a. m.]

¹ Filed as part of the original document.

NOTICES

FEDERAL POWER COMMISSION

[Project No. 1975]

IDAHO POWER CO.

NOTICE OF ORDER MODIFYING ORDER OF OCTOBER 13, 1949, AUTHORIZING ISSUANCE OF LICENSE (MAJOR)

JANUARY 19, 1950.

Notice is hereby given that, on January 18, 1950, the Federal Power Commission issued its order entered January 13, 1950, modifying order of October 13, 1949, published in the FEDERAL REGISTER on October 20, 1949 (14 F. R. 6413), authorizing issuance of license (major) in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 50-656; Filed, Jan. 23, 1950;
8:47 a. m.]

[Docket No. E-6224]

CALIFORNIA ELECTRIC POWER CO.

NOTICE OF ORDER AUTHORIZING TRANSMISSION OF ELECTRIC ENERGY TO MEXICO AND SUPERSEDING PREVIOUS AUTHORIZATION

JANUARY 19, 1950.

Notice is hereby given that, on January 16, 1950, the Federal Power Commission issued its order entered January 13, 1950, in the above-designated matter, authorizing transmission of additional electric energy to Mexico, superseding previous authorization, and releasing Presidential Permit to applicant.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 50-659; Filed, Jan. 23, 1950;
8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 24803]

ETHYLENE AND PROPYLENE GLYCOL FROM PORT NECHES, TEX., TO MINNESOTA

APPLICATION FOR RELIEF

JANUARY 19, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3721.

Commodities involved: Ethylene and propylene glycol, carloads.

From: Port Neches, Tex.

To: Minneapolis, Minnesota, Transfer and St. Paul, Minn.

Grounds for relief: Competition with rail carriers, circuitous routes and analogous commodities.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3721, Supplement 130.

Any interested person desiring the Commission to hold a hearing upon such

No. 15—2

application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-647; Filed, Jan. 23, 1950;
8:45 a. m.]

[4th Sec. Application 24806]

DIETHYLENE AND ETHYLENE GLYCOL FROM PORT NECHES, TEX., TO ST. LOUIS, MO.

APPLICATION FOR RELIEF

JANUARY 19, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3721.

Commodities involved: Diethylene and ethylene glycol, carloads.

From: Port Neches, Tex.

To: St. Louis, Mo., and East St. Louis, Ill.

Grounds for relief: Circuitous routes. Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3721, Supplement 131.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-648; Filed, Jan. 23, 1950;
8:45 a. m.]

[4th Sec. Application 24807]

COAL FROM ARKANSAS TO CHICAGO, ILL.

APPLICATION FOR RELIEF

JANUARY 19, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3763.

Commodities involved: Coal, carloads. From: Points in the Greenwood, Ark., district.

To: Chicago, Ill.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3763, Supplement 84.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-649; Filed, Jan. 23, 1950;
8:45 a. m.]

[4th Sec. Application 24808]

COAL FROM WEST VIRGINIA TO HARRISONBURG, VA.

APPLICATION FOR RELIEF

JANUARY 19, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The Chesapeake and Ohio Railway Company for itself and on behalf of the Norfolk and Western Railway Company and Southern Railway Company.

Commodities involved: Bituminous coal and coal briquettes, carloads.

From: Points in West Virginia.

To: Harrisonburg, Va.

Grounds for relief: Circuitous routes. Schedules filed containing proposed rates: The Chesapeake and Ohio Railway Company's tariff I. C. C. No. 12888, Supplement 42.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,
Secretary.

[P. R. Doc. 50-650; Filed, Jan. 23, 1950;
8:46 a. m.]

VETERANS' ADMINISTRATION

ORGANIZATION

OFFICE OF THE SOLICITOR

Paragraph (1), section 2, is amended to read as follows:

SEC. 2. Central office. . . .

(1) *Office of the solicitor*—(1) *Mission*. As chief law officer of the Veterans' Administration, the solicitor advises the Administrator, assistant administrators, board of veterans appeals, board of veterans tuition appeals, and their staffs on all law matters; formulates policies and procedures as to all legal matters—including loan guaranty and guardianship legal matters and litigation—and exercises staff (professional) supervision over such activities located in field stations.

(2) *Major functions*. The office of the solicitor performs the following major functions:

(i) Renders legal advice on all matters within jurisdiction of Veterans' Administration; acts with the Department of Justice in the conducting of insurance suits, actions arising under loan guaranty and education and training programs of the Servicemen's Readjustment Act of 1944, as amended, or involving Veterans' Administration officials; cooperates with the Department of Justice in other civil and in criminal actions in Federal courts; conducts litigation in State courts, as necessary; and makes final disposition of tort claims.

(ii) Formulates general policy and furnishes staff (professional) supervision over all guardianship and field examination functions of chief attorneys in the field stations.

(iii) Provides specialized legal service on loan guaranty and other matters, and supervises such service rendered by chief attorneys' offices to operating services.

(3) *Organization*. The office of the solicitor consists of the executive office, legal service (general), legal service (loan

guaranty), and legal service (guardianship).

[SEAL]

O. W. CLARK,
Deputy Administrator.

[P. R. Doc. 50-653; Filed, Jan. 23, 1950;
8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2290]

NIAGARA MOHAWK POWER CORP.

SUPPLEMENTAL ORDER RELEASING JURISDICTION OVER CERTAIN MATTERS, CONTINUING JURISDICTION OVER CERTAIN MATTERS, AND GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 18th day of January 1950.

Niagara Mohawk Power Corporation ("Niagara Mohawk"), a subsidiary of Niagara Hudson Power Corporation, a registered holding company, having filed an application, and amendments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, regarding the issue and sale pursuant to the competitive bidding requirements of Rule U-50 of \$40,000,000 principal amount of General Mortgage Bonds, due 1980; and

The Commission having, by order dated January 9, 1950 granted said application subject to the condition, among others, that the proposed sale of bonds shall not be consummated until the results of competitive bidding shall have been made a matter of record in this proceeding and a further order shall have been entered in the light of the record so completed; and jurisdiction having been reserved over the payment of all fees and expenses in connection with the proposed transaction; and

Niagara Mohawk having, on January 18, 1950, filed a further amendment to said application in which it is stated that it has offered the bonds for sale pursuant to the competitive bidding requirements of Rule U-50 and has received the following bids:

Bidder	Interest rate	Price to Niagara Mohawk	Annual cost to Niagara Mohawk
	Percent	Percent	Percent
Halsey, Stuart & Co., Inc.	2.75	101.26999	2.6880513
Morgan Stanley & Co.	2.75	101.13999	2.69436
The First Boston Corp.	2.75	100.689	2.716274
Kuhn, Loeb & Co.	2.75	100.63	2.719149

Said amendment having further stated that Niagara Mohawk has accepted the bid of Halsey, Stuart & Co., Inc., for the bonds as set forth above and that the bonds will be offered for sale to the public at a price of 101.85% of principal amount thereof, plus accrued interest from January 1, 1950, resulting in an underwriter's spread of approximately 0.58% of the principal amount of the bonds; and

The Commission having examined said amendment and having considered the record herein and observing no basis

for imposing terms and conditions with respect to the price to be received by Niagara Mohawk for the bonds, the interest rate and the underwriter's spread:

It is hereby ordered, That jurisdiction heretofore reserved with respect to the matters to be determined as a result of competitive bidding under Rule U-50 for said bonds be, and the same hereby is, released, and the application, as further amended be, and the same hereby is, granted forthwith subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations under the act.

It is further ordered, That jurisdiction heretofore reserved over all fees and expenses to be incurred in connection with the proposed transaction be, and the same hereby is, continued.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[P. R. Doc. 50-646; Filed, Jan. 23, 1950;
8:49 a. m.]

[File No. 811-552]

FRONTIER FUND, INC.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 18th day of January A. D. 1950.

Notice is hereby given that Frontier Fund, Inc., of Buffalo, New York, a registered investment company incorporated in the State of Delaware, has filed an application pursuant to section 8 (f) of the Investment Company Act of 1940, for an order of the Commission declaring that it has ceased to be an investment company within the meaning of the act.

It appears from the application and the documentary material referred to therein that in December 1949 the stockholders of Frontier Fund, Inc. executed a consent to dissolution of the said company; that on December 13, 1949, a certificate of dissolution was issued by the Secretary of the State of Delaware; that all of the debts of the said investment company have been paid and all of its remaining assets distributed pro-rata to its stockholders; and that, the said investment company transmitted to its stockholders with its final liquidating dividend and audited statement of income and expenses, together with a statement of capital, paid-in surplus and income accounts.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application which is on file in the offices of the Commission in Washington, D. C.

Notice is further given that an order granting the application, subject to such conditions as the Commission may deem necessary or appropriate, may be issued by the Commission at any time after January 31, 1950, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any

interested person may, not later than January 26, 1950, at 5:30 p. m., in writing submit to the Commission his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street, NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-644; Filed, Jan. 23, 1950;
8:48 a. m.]

[File No. 812-620]

INVESTORS SYNDICATE OF AMERICA, INC.

ORDER GRANTING EXEMPTION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 18th day of January A. D. 1950.

Investors Syndicate of America, Inc. ("Investors"), having filed an application pursuant to section 6 (c) of the Investment Company Act of 1940 (the act) for an order exempting from the provisions of section 12 (d) (2) of the act (which section prohibits the purchase or acquisition by a registered investment company and any company or companies controlled by it, of more than 10% in the aggregate of the total outstanding voting stock of any insurance company unless at the time of such purchase or acquisition the registered investment company and any company, or companies controlled by it, own in the aggregate at least 25% of the total outstanding voting stock of such insurance company) the acquisition by "Investors" of 15,000 shares of Class B common stock of North American Life and Casualty Company ("Insurance Company") under an agreement with certain of the stockholders of "Insurance Company." This agreement contained, inter alia, a commitment that such stockholders would cause "Insurance Company" to give an option to permit conversion of B shares to A shares (the voting stock) between December 31, 1953 and January 1, 1955;

Notice of the filing of said application having been duly given in the manner and form prescribed in Rule N-5 under the act, the Commission not having received a request for a hearing within the period specified in such notice and a hearing not appearing necessary or appropriate in the public interest or for the protection of investors; and The Commission having considered the application;

It is ordered, That the acquisition by "Investors" of 15,000 shares of the Capital Stock of "Insurance Company" be

and hereby is exempted pursuant to section 6 (c) of the act from the provisions of section 12 (d) (2) of the act upon the following condition:

That "Investors" may continue to hold the 15,000 shares of the Class B common stock of "Insurance Company" before, during and after the period between December 31, 1953, and January 1, 1955, provided that no exchange or conversion of all, or any portion of such shares which would amount to more than ten per cent, of the outstanding voting securities of "Insurance Company" shall be made for Class A common stock or for any other of its securities having the right to vote for directors of said "Insurance Company" unless the Securities and Exchange Commission shall have issued an order exempting such transaction from the provisions of section 12 (d) (2) of the act.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-645; Filed, Jan. 23, 1950;
8:49 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 14241]

JOE MAYER

In re: Debt owing to Joe Mayer, also known as Joseph Mayer, and as Josef Mayer. F-28-23285-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Joe Mayer, also known as Joseph Mayer, and as Josef Mayer, whose last known address is Bavaria, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation, matured or unmatured, evidenced by one (1) Columbus Venetian Stevens Buildings Inc., First Mortgage Income Bond of \$400.00 face value, bearing the number B-1154, registered in the name of Joe Mayer, and all rights to demand, enforce and collect the same together with any and all rights in, to and under said bond,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States re-

quires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 6, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-661; Filed, Jan. 23, 1950;
8:48 a. m.]

[Vesting Order 2900, Amdt.]

JOHANN AND ELISABETH GREBNER

In re: Remainder interest in real property owned by Johann Grebner and rights and interest therein owned by Elisabeth Grebner, nee Wolf, his wife.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, after investigation, Vesting Order 2900, dated January 7, 1944, is hereby amended to read as follows:

1. It is hereby found that Johann Grebner and Elisabeth Grebner, nee Wolf, his wife, each of whose last known address is Stollberg/Sa. Randsiedlung 606 M, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. It is hereby found that the property described as follows: The remainder interest in the property identified as the interest of Johann Grebner in and to the real property situated in Cleveland, Cuyahoga County, Ohio, particularly described as follows: that lot and parcel of land situated in the Village of Glenville, County of Cuyahoga, State of Ohio, known as being subplot No. 66 in E. J. Wells Allotment of part of original lot No. 369 in said village; said sub-lot No. 66 has a front of 51¹/₁₀₀ feet on John Street and is 205¹/₁₀₀ feet deep as per plat of said allotment recorded in Vol. 14 of Maps, Page 30 of Cuyahoga County Records, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, including the dower rights and interest therein of Elisabeth Grebner, nee Wolf, his wife,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evi-

NOTICES

dence of ownership or control by Johann Grebner and Elisabeth Grebner, nee Wolf, his wife, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested the property described in subparagraph 2 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein and in said Vesting Order 2900, shall have and had the meanings prescribed in section 10 of Executive Order 9095, as amended by Executive Order 9193.

Executed at Washington, D. C., on January 16, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-662; Filed, June 23, 1950;
8:48 a. m.]

[Return Order 489]

NORA ANNA GOLDBERGER DE BUDA

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Nora Anna Goldberger de Buda, Copenhagen, Denmark; Claim No. 4803; Oct. 18, 1949 (14 F. R. 6380); \$3,514.84 in the Treasury of the United States. One-half of the right, title and interest of the Attorney General in and to an assignment dated July 7, 1944, executed by Elizabeth Horesnye, Executrix of the estate of Julius Kessler, deceased, to the Alien Property Custodian, of an undivided two-thirds interest in the following property: 5 shares Central States Electric Corporation; 400 shares Seneca Copper Mining Company; 100 shares Chicago & Eastern Illinois Railway Company; 175 shares Syncho Products Corporation common; Note dated May 11, 1940, due May 11, 1941, made by Dr. Frank I. Horn

for \$400.00; Note dated July 1, 1939, due 60 days, made by Max Gordon for \$150.00.

All right, title and interest of Nora Goldberger de Buda in and to the estate of Julius Kessler, deceased.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on January 17, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-663; Filed, Jan. 23, 1950;
8:49 a. m.]

[Return Order 490]

ILMA AMALIA INGEMAN-NIELSEN

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Ilma Amalia Ingeman-Nielsen nee Ilma Amalia Goldberger de Buda, Copenhagen, Denmark; Claim No. 4802; Oct. 21, 1949 (14 F. R. 6456); \$3,514.83 in the Treasury of the United States.

One-half of the right, title and interest of the Attorney General in and to an assignment dated July 7, 1944 executed by Elizabeth Horesnye, Executrix of the estate of Julius Kessler, deceased, to the Alien Property Custodian, of an undivided two-thirds interest in the following property: 5 shares Central States Electric Corporation; 400 shares Seneca Copper Mining Company; 100 shares Chicago & Eastern Illinois Railway Company; 175 shares Syncho Products Corporation common; note dated May 11, 1940, due May 11, 1941, made by Dr. Frank I. Horn for \$400.00; note dated July 1, 1939, due 60 days, made by Max Gordon for \$150.00. All right, title and interest of Ilma Goldberger de Buda in and to the estate of Julius Kessler, deceased.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on January 17, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-664; Filed, Jan. 23, 1950;
8:49 a. m.]

[Return Order 528]

JEAN DETROYE AND LOUIS MARIE DE CORLIEU

Having considered the claim set forth below and having issued a determination

allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Jean Detroye, legal representative of Louis Marie de Corlieu, Paris, France; Claim No. 33229; Oct. 20, 1949 (14 F. R. 6424); property described in Vesting Order No. 666 (8 F. R. 5047, Apr. 17, 1943), relating to United States Letters Patent No. 2,099,973 including royalties in the amount of \$37,666.72. This return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on January 17, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-667; Filed, Jan. 23, 1950;
8:50 a. m.]

[Return Order 531]

LUDWIG ROSENBERG ET AL.

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Ludwig Rosenberg, Lincoln, Nebr., Claim No. 32564; Dr. Ernst Speyer, Sandusky, Ohio, Claim No. 32566; Hertha Zenner, nee Speyer, Chicago, Ill., Claim No. 32567 (consolidated), Dec. 2, 1949 (14 F. R. 7261); \$14,819.00 in the Treasury of the United States, \$4,939.67 payable to Ludwig Rosenberg, \$4,939.67 to Dr. Ernst Speyer and \$4,939.66 to Hertha Zenner, nee Speyer; three-sixths of all right, title and interest in and to the estate of Sigmund H. Speyer, deceased, formerly owned by Hermann Speyer, one-sixth returnable to each claimant.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on January 17, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-668; Filed, Jan. 23, 1950;
8:50 a. m.]